# A STUDY ON THE UPGRADE OF REGULATION ON MANAGEMENT OF NATIONAL R&D PROJECT TO THE LAW

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**Abstract -** National R&D Projects of South Korea are being operated by several laws in each Government Ministries. Because of that, many researchers in labs are suffering from administrative inconvenience. Also because of that, there is not consistency about long term National R&D Projects plan. This paper examines direction of upgrade of current Regulation on Management of National R&D Project to the law. Although improving consistency about long term National R&D Projects plan is one of the purposes of this upgrade, because long term plan may be modified many times, direction of upgrade should be inclusion of provision of evidence not long term plan itself. Also, if some projects of each Government Ministries are identified not as same or similar projects, those can survive in adjustment of projects by provision of evidence.

**Keywords -** National R&D Project, Law, Regulation

## I. INTRODUCTION

National R&D Project in South Korea is legally defined in Framework Act on Science and Technology. National R&D Projects mean all kinds of R&D projects done through tax. Under Framework Act on Science and Technology, there is Regulation on Management of National R&D Project. This is practically legal ground of National R&D Projects. But National R&D Projects in South Korea are being conducted by many Government Ministries. And the Government Ministries have each laws for managing their National R&D Projects. At this point, some problems about managing National R&D Projects appear. In Korea, 'Law' has priority compared to 'Regulation'. Therefore, Regulation on Management of National R&D Project cannot control all of the laws for National R&D Projects of each Government Ministries. In that modifying law is difficult process, if Regulation on Management of National R&D Project is at odds with some law for National R&D Projects of some Government Ministry, there may be confusion.

Also, many researchers in labs may undergo administrative inconvenience. Because each Government Ministries have their own laws for National R&D Projects, format of documents about National R&D Projects of some Government Ministry is different from that of other Government Ministries. But Regulation on Management of National R&D Project cannot solve this problem because it is 'Regulation' not 'Law'. This circumstance makes time cost and administrative cost. Furthermore, this circumstance cause problem about planning national strategy for R&D. Because each Government Ministries have each laws about National R&D Projects, there are some duplicated R&D Projects among Government Ministries. Also, there is inefficiency about managing many R&D projects of many Government Ministries. Regulation on Management of National R&D Project does not solve all of these problems.

## II. ELIMINATING INCONVENIENCES OF RESEARCHERS

Many Korean researchers in labs apply to National R&D Projects for getting budget of research.Recent research topics of science and technology are interdisciplinary or multidisciplinary. So many researchers in labs apply to several National R&D Projects of several Government Ministries. But each National R&D Projects are conducted by different laws of different Government Ministries. This situation causes problem about format of documents about research projects. Each Government Ministries have each formats for documents about research projects. So researchers in labs undergo inconvenience writing same content of research into different document formats. Current Regulation on Management of National R&D Project cannot adjust this situation. So when Regulation on Management of National R&D Project is upgraded to 'Law' level, the 'Law' should include provision of evidence about standardization of document format for R&D projects.

## III. LINK WITH OTHER INSTITUTIONS

Framework Act on Science and Technology is comprehensive law about science and technology policy in South Korea. So this framework should contain declarative sentences. But now this framework includes specific rules about National R&D Projects such as penalty against breach, intellectual property right (IPR), and security about technology. These practical contents in Framework Act on Science and Technology should be transferred to new 'Law' enacted through upgrade of Regulation

on Management of National R&D Project. But new 'Law' enacted through upgrade of Regulation on Management of National R&D Project should not contain national science and technology strategies or plans itself because those strategies or plans can be changed frequently.National science and technology strategies or plans should have flexibility.

## IV. CONSIDERINGCHARACTERISTICS OF EACH RESEARCH FIELD

Reason for upgrade of Regulation on Management of National R&D Project is discussed above. However, when adjusting duplicated R&D Projects among Government Ministries, the new 'Law' enacted through upgrade of Regulation on Management of National R&D Project should not cut R&D Projects that are similar with other R&D Projects but are not same with other R&D Projects. For example, using word 'Bio', many Government Ministries can make various National R&D Projects. In case of Ministry of Education, it can make R&D Project for exploring biological phenomenon itself. On the other hand, Ministry of Health and Welfare can make R&D Project for creating new medicine or clinical method. These are explicitly different R&D Projects. So these must not be adjusted or cut.

## CONCLUSIONS

The first reason for upgrade of Regulation on Management of National R&D Project is for eliminating administrative inconvenience that afflicts many researchers in labs. The second reason is for making possibility that duplicated R&D Projects among several Government Ministries can be adjusted. The new 'Law' enacted through upgrade of Regulation on Management of National R&D Project should receive practical contents about National R&D Projects from Framework Act on Science and Technology. But the new 'Law' should not contain national science and technology strategies or plans itself. Although duplicated R&D Projects among several Government Ministries can be adjusted by the new 'Law', some R&D Projects which seem to be similar but are not same should be protected by the new 'Law'.

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